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EDWARD BENNETT WILLIAMS (1920-1988)

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Via ECF

Hon. Richard M. Berman  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

The Court is aware of the stay. No action by the District Court is called for or appropriate at this time.

SO ORDERED:

Date: 1/21/2021

*Richard M. Berman*  
Richard M. Berman, U.S.D.J.

Re: *United States v. Türkiye Halk Bankası A.Ş.*, S6 15 Cr. 867 (RMB)

Dear Judge Berman:

Türkiye Halk Bankası A.Ş. (Halkbank) respectfully moves this Court to vacate all pretrial, trial, and related deadlines in this case pursuant to the Second Circuit's December 23, 2020 order staying all proceedings during the pendency of Halkbank's foreign sovereign immunity appeal.

On August 10, 2020, Halkbank moved to dismiss the operative indictment on foreign sovereign immunity grounds. ECF No. 646. This Court denied that motion on October 1, 2020. ECF No. 674. Halkbank appealed to the Second Circuit, which granted a stay during the pendency of that appeal. ECF Nos. 679, 696. Pursuant to that court's expedited scheduling order, all briefs are to be filed by March 17, 2021. Order, Case No. 20-3499 (2d Cir. Dec. 23, 2020), ECF No. 50. During the pendency of Halkbank's appeal, this Court "may take actions only in aid of the appeal or to correct clerical errors, and may not adjudicate substantial rights directly involved in the appeal." *Int'l Ass'n of Machinists & Aerospace Workers, AFL-CIO v. E. Air Lines, Inc.*, 847 F.2d 1014, 1017 (2d Cir. 1988) (internal quotation marks and citations omitted).

Halkbank respectfully moves this Court to vacate all pretrial, trial, and related deadlines in this Court. Many of the deadlines will expire before the Second Circuit takes the case under submission. See ECF No. 686 (current scheduling order). Halkbank respectfully suggests this Court order the parties to file a joint status report no later than ten days after the Second Circuit's mandate issues. Undersigned counsel has conferred with counsel for the government who takes no position on the requested relief.

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Respectfully,

*/S Robert M. Cary*

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